

SEP 2 7 2004 E.F.R. §1.8, is be

I, <u>Lisa Mansur</u>, hereby certify that this correspondence, pursuant to 33.6.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: September 22, 2004 By By

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

John C. Opie et al.

Docket No.:

.60458.00003

Application No.:

10/618,456

Group Art Unit:

3739

Filing Date:

July 11, 2003

Examiner:

Not Yet Assigned

TITLE:

PERCUTANEOUS DEVICE AND METHOD FOR HARVESTING

**TUBULAR BODY MEMBERS** 

#### REQUEST FOR CORRECTION OF FILING RECEIPT DATA

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Sir/Madam:

We are in receipt of the Filing Receipt in the above-identified application mailed January 2, 2004. Please issue a Corrected Filing Receipt to correct the priority data claimed by the applicants to read as follows:

This appln claims benefit of 60/395,248 07/11/2002 and is a CIP of 10/444,773 05/24/2003

We have enclosed a marked-up copy of the Filing Receipt noting the requested correction.

If a fee is required for this submission, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 19-3878, for which purpose a duplicate copy of this sheet is attached.

Please do not hesitate to contact the undersigned at the telephone number listed below if you have any questions.

Respectfully submitted,

Date: September 22, 2004

# 296536

Reg. No. 38,567

SQUIRE, SANDERS & DEMPSEY L.L.P. Two Renaissance Square 40 North Central Avenue, Suite 2700 Phoenix, Arizona 85004-4498 (602) 528-4839





### United States Patent and Trademark Office

2 7 2004

Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/618,456	07/11/2003	3739	0.00	60458.00003	11	33	6

**CONFIRMATION NO. 3860** 

FILING RECEIPT

\*OC00000011596806\*

Date Mailed: 01/02/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John C. Opie, Residence Not Provided; Stephen J. Joyce, Residence Not Provided;

#### Domestic Priority data as claimed by applicant

SQUIRE, SANDERS & DEMPSEY L.L.P.

40 North Central Avenue, Suite 2700

Two Renaissance Square

Phoenix, AZ 85004-4440

This appln claims benefit of  $60/395,248\ 07/11/2002$  and is a CIP of  $10/444,776\ 05/23/2003$  \*  $10/444,773\ 05/24/2003$  (\*)Data provided by applicant is not consistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted: 12/31/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Percutaneous device and method for harvesting tubular body members



**Preliminary Class** 

606

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).